

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
No. 5:14-CV-00036-FDW-DSC

THE GUARDIAN LIFE INSURANCE
COMPANY OF AMERICA,

Plaintiff,

vs.

MARVIN ANTONIO HILL, ANNETTE
REED BOLDEN and ROBERT A.
MULLINAX, ADMINISTRATOR OF THE
ESTATE OF LOUVER M. HILL,

Defendants.

**ORDER GRANTING
JUDGMENT ON THE PLEADINGS**

THIS MATTER is before the Court on Interpleader-Defendant and Crossclaim-Plaintiff, Annette Reed Bolden and Interpleader-Defendant Robert A. Mullinax's, Administrator of the Estate of Louver M. Hill "Joint Motion for Judgment on the Pleadings" (Doc. No. 51). Interpleader Defendant Marvin Antonio Hill, against whom the Clerk made entry of default on May 17, 2017, (Doc. No. 50), has failed to respond to the Joint Motion.

The Court has reviewed the pleadings in this case, including the instant motion and supporting memorandum, (Doc. No. 52). Under the record in this case and applicable law, the Court finds Defendant Marvin Antonio Hill has been indisputably adjudicated a slayer under North Carolina Law such that he is not entitled to the funds at issue in this case. See N.C. Gen. Stat. §§ 31A-3(3)(b), 31A-4. Robert A Mullinax, as Administrator of the Estate of Louver M. Hill, is the proper recipient of the funds. For the reasons stated in the joint motion and supporting memorandum, the Court GRANTS the motion.

The net life insurance benefits now held by the Court should be paid to the Estate upon entry of this Order. The clerk should enter Judgment in accordance with this Order, with each party to bear its own costs.

IT IS THEREFORE ORDERED that the Joint Motion for Judgment on the Pleadings (Doc. No. 51) is GRANTED. The Clerk is respectfully directed to disburse funds deposited with this Court as explained herein and CLOSE the case.

SO ORDERED.

Signed: September 11, 2017

A handwritten signature in cursive script, reading "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney
Chief United States District Judge

